

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

FROST SOLUTIONS, LLC,

Plaintiff,

v.

PATRICK BAGLIEN, CHRISTOPHER
LAREAU, and VUE ROBOTICS, LLC,

Defendants.

Case No. 1:22-cv-00401-SE

**JOINT MOTION FOR EXTENSION OF FACT DISCOVERY DEADLINE
AND ALL REMAINING DEADLINES IN THE DISCOVERY PLAN**

Pursuant to Fed. R. Civ. P. 6(b)(1)(A) and Local Rules 7.1 and 7.2, Plaintiff Frost Solutions, LLC (“Plaintiff”) and Defendants Patrick Baglien, Christopher Lareau, and Vue Robotics, LLC (collectively, “Defendants,” and together with Plaintiff, the “Parties”), through their respective counsel, jointly move this Court to extend the deadline to complete fact discovery by six (6) months from October 20, 2023 up to and including April 19, 2024, and extend all remaining deadlines in the Discovery Plan (Dkt No. 25, as entered by the Court by electronic order on January 23, 2023) accordingly. In support of this Joint Motion, the Parties state as follows:

1. Pursuant to the Discovery Plan as entered by the Court on January 23, 2023, the deadline to complete fact discovery is October 20, 2023.

2. As the Court is aware, the Parties have had numerous discovery issues in this action and have had two informal discovery conferences with the Court to address certain of these outstanding issues. Since the last discovery conference, the Parties have been actively engaged in the production of discovery, but need additional time to do so. The Parties are also

working with third parties to obtain discovery, including without limitation Slack, the University of Notre Dame, and 1st Source Bank, as well as former employees of Frost Control Systems, Inc., d/b/a Frost Technologies.

3. In addition, the Parties have a mediation scheduled for October 23, 2023, and the requested extension of discovery deadlines will allow the Parties to focus on the mediation, and on potentially resolving this dispute.

4. Pursuant to LR 7.2(a)(ii), the requested extension to the current deadline is listed below. The information below is also contained in the Civil Form 3, filed herewith in accordance with LR 7.2(a)(iii).

| Scheduling Designation | Current Deadline | Proposed Deadline |
|--|-------------------------|--------------------------|
| Deadline to complete fact discovery | 10/20/2023 | 4/19/2024 |
| Deadline to serve initial expert reports by party who has the burden of proof | 11/17/2023 | 5/17/2024 |
| Deadline to serve rebuttal expert reports | 12/15/2023 | 6/14/2024 |
| Deadline to complete expert discovery | 1/19/2024 | 7/19/2024 |
| Deadline to file motions for summary judgment | 2/16/2024 | 8/16/2024 |
| Deadline to file challenges to expert testimony | 5/3/2024 | 11/1/2024 |
| Deadline for supplementation under Fed. R. Civ. P. 26(e)(2) for party with the burden of proof | 5/24/2024 | 11/22/2024 |
| Deadline for responsive supplementation under Fed. R. Civ. P. 26(e)(2) | 6/7/2024 | 12/11/2024 |
| Two-week jury trial to begin | 6/18/2024 | 1/22/2025 |

5. Pursuant to LR 7.2(a)(i)-(ii), this Motion, if granted, will result in an extension of all remaining discovery and other deadlines in the Discovery Plan as identified above and will result in the continuance of trial. This Motion, if granted, will result in the continuance of the trial in this case. Pursuant to LR 7.2(c), undersigned counsel hereby certifies that their clients have been notified of the reasons for the requested continuance and have assented thereto.

6. In accordance with LR 7.1(c), counsel for the Parties have conferred in good faith, and jointly request the relief sought in this Motion to allow both sides a fair and full opportunity to receive and review all relevant discovery and complete depositions before expert discovery and the filing of summary judgment motion(s).

7. Pursuant to LR 7.1(a)(2), the Parties believe that a supporting memorandum is unnecessary because the relief requested herein is discretionary.

WHEREFORE, Plaintiff Frost Solutions, LLC and Defendants Patrick Baglien, Christopher Lareau, and Vue Robotics, LLC, through their respective counsel, respectfully request that the Court:

- (A) Grant this Joint Motion and extend the deadline to complete fact discovery by six (6) months, from October 20, 2023 up to and including until April 19, 2024, and extend all remaining deadlines in the Discovery Plan, including the trial date, as set forth above and in the completed Civil Form 3 submitted herewith; and
- (B) Grant such other and further relief as the Court may deem just and equitable under the circumstances.

Dated: October 13, 2023

FROST SOLUTIONS, LLC,

By its attorneys,

/s/ Laura L. Carroll

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Respectfully submitted,

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By their attorneys,

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CERTIFICATE OF SERVICE

I hereby certify that on this date, I electronically served copies of this document and exhibit thereto on all counsel of record via the Court's CM/ECF system, pursuant to Fed. R. Civ. P. 5(b)(2)(E).

Dated: October 13, 2023

/s/ Kierstan E. Schultz